

Testimony In opposition to HB 537 for the repeal of Citizens Initiative 161

Initiative 161 eliminated several thousand Outfitter Sponsored licenses whereby outfitters could dictate which nonresidents could legally hunt deer and elk in Montana. It did not reduce the number of nonresident licenses.

We hire the Fish Wildlife and Parks to determine who can legally hunt these animals in Montana and no one else. In the case of nonresidents, we insist that they do that by a random draw of all those who apply. Only six of every ten applicants are accepted, which means we reject 4 out of every 10. No one should be able to use money to have a guaranteed license every year. This is consistent with the mandate established by the Supreme Court of The United States and the North American Model of Wildlife Conservation.

The Supreme Court clarified the ownership of wildlife in both 1842 and 1896, when it established that control of wildlife is to be exercised as a trust for the benefit of all people and not for the benefit of the government or private individuals.

In a 1989 decision this court also determined that states may prefer its residents over the residents of other states, or condition the enjoyment of the nonresidents upon such terms as it sees fit. In accord with that ruling Montana has limited big game licenses to 17,500 and ten percent for non residents when ever permits are issued,

In regard to the HB 537 to repeal a vote of the people on I-161, let me say that if you are here from counties such as Yellowstone, Gallatin, Cascade , Missoula, or Lewis and Clark you had better ask yourself who you are representing if you vote for this bill. It is not the majority of the voters who elected you to represent them . The same is true for over twenty other counties. I-161 passed by a margin of 25,000 votes state wide.

This bill, like several others that would roll back the way permits are issued, reeks of self interest, special interest and even conflict of interest since the sponsors will directly profit from it's passage.

In conclusion, I suggest it is never a good policy to overturn the mandate of the voters that sent you here. This is especially true of Initiative 161.

John Gibson: For PLWA and Billings Rod and Gun Club

2010 Unofficial General Election Results
State of Montana

INITIATIVE NO. 161

Precincts Fully Reported: 793/793 (Precincts Partially Reported: 0/793)

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County	FOR	AGAINST
Yellowstone	32268	17191
Missoula	18418	17455
Gallatin	16232	13115
Cascade	14323	9758
Flathead	14002	15902
Lewis & Clark	13709	10531
Ravalli	7582	9423
Silver Bow	6586	4808
Lake	4603	5320
Lincoln	3226	3778
Hill	3046	1945
Park	2963	3670
Jefferson	2864	2319
Fergus	2684	2325
Carbon	2565	2115
Sanders	2292	2778
Custer	2205	1699
Deer Lodge	2108	1181
Dawson	2092	1408
Richland	2075	1454
Big Horn	1989	1741
Stillwater	1939	1729
Valley	1748	1464
Roosevelt	1596	1134
Rosebud	1514	1066
Madison	1496	2053
Beaverhead	1483	2183
Glacier	1320	1217
Broadwater	1296	1166
Chouteau	1225	971
Teton	1099	1541

A pretty clear pattern emerges here. The vote took on a decidedly rural/urban, western/eastern, and outfitted/non-outfitted pattern. In other words, rural, west slope counties with a big outfitter presence were likely to go no, whereas eastern, urban counties, and counties with little outfitter presence all went yes. This may not be a surprise, but now we have some cold hard data. (Yellowstone county was the big enchilada with a lot of salsa.)

The most surprising to me was the extent to which rural eastern counties went yes – particularly Fergus county.

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